

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) A nucleic acid construct having a promoter sequence, at least one protein-encoding nucleotide sequence linked to the promoter sequence in a translatable state, and a poly A signal sequence, wherein

the nucleic acid construct further contains, between the promoter sequence and the poly A signal sequence, a nontranslatable nucleotide sequence that is different from the protein-encoding nucleotide sequence,

the protein-encoding nucleotide sequence linked to the promoter sequence in a translatable state and the nontranslatable nucleotide sequence that is different from the protein-encoding nucleotide sequence are linked together so that they are transcribed from the nucleic acid construct in a single RNA molecule, and

the nontranslatable nucleotide sequence is selected from the group consisting of:

(1) a nucleotide sequence that encodes a protein or a part of the protein; and

(2) a nucleotide sequence of an untranslated region that is naturally located on the 5' or 3' side of a nucleotide sequence that encodes a protein.

2. (Original) The nucleic acid construct according to claim 1, wherein the nontranslatable nucleotide sequence is located downstream of the protein-encoding nucleotide sequence linked to the promoter sequence in a translatable state.

3. (Original) The nucleic acid construct according to claim 1, wherein the nontranslatable nucleotide sequence is located upstream of the protein-encoding nucleotide sequence linked to the promoter sequence in a translatable state.

4. (Original) The nucleic acid construct according to claim 1, the protein-encoding nucleotide sequence linked to the promoter sequence in a translatable state encodes a reporter protein.

5. (Original) A vector containing the nucleic acid construct defined by claim 1.

6. (Original) An RNA containing at least one protein-encoding nucleotide sequence in a translatable state

and a nontranslatable nucleotide sequence that is different from the protein-encoding nucleotide sequence, wherein the nontranslatable nucleotide sequence is selected from the group consisting of:

(1) a nucleotide sequence that encodes a protein that is different from the protein-encoding nucleotide sequence in a translatable state, or a part of the protein; and

(2) a nucleotide sequence of an untranslated region that is naturally located on the 5' or 3' side of a nucleotide sequence that encodes a protein that is different from the protein-encoding nucleotide sequence in a translatable state.

7. (Original) A method of detecting an activity of altering expression of a target gene by a functional nucleotide molecule, the method comprising the steps of:

(1) transcribing an RNA from the nucleic acid construct defined by claim 1 or the vector defined by claim 5 which has, as a nontranslatable nucleotide sequence, a nucleotide sequence selected from the group consisting of a nucleotide sequence that encodes a protein in a target gene, a part of the nucleotide sequence, and an untranslated region that is located on the 5' or 3' side of the nucleotide sequence that encodes the protein in the target gene;

(2) contacting a nucleotide molecule with the RNA transcribed in step (1);

(3) detecting the RNA in step (2) or a translation product translated from the RNA; and

(4) detecting an activity of altering expression of the target gene by a functional nucleotide molecule based on the amount of the RNA or the translation product translated from the RNA detected in step (3).

8. (Original) A method of detecting an activity of altering expression of a target gene by a functional nucleotide molecule, the method comprising the steps of:

(1) contacting a nucleotide molecule with the RNA defined by claim 6 which has, as a nontranslatable nucleotide sequence, a nucleotide sequence selected from the group consisting of a nucleotide sequence that encodes a protein in a target gene, a part of the nucleotide sequence, and an untranslated region that is located on the 5' or 3' side of the nucleotide sequence that encodes the protein in the target gene;

(2) detecting the RNA in step (1) or a translation product translated from the RNA; and

(3) detecting an activity of altering expression of the target gene by a functional nucleotide molecule based on

the amount of the RNA or the translation product translated from the RNA detected in step (2).

9. (Currently Amended) A method of screening for a functional nucleotide molecule that alters expression of a target gene, the method comprising detecting an activity of altering expression of a target gene by a functional nucleotide molecule according to the method defined by claim 7 ~~or 8~~.

10. (Currently Amended) The method of detecting an activity of altering expression of a target gene by a functional nucleotide molecule according to claim 7 ~~or 8~~, wherein the nucleotide molecule is contacted with the RNA in a cell or in a cell-free protein synthesis system.

11. (Original) A method of screening for a gene whose expression is altered by a nucleotide molecule, the method comprising the steps of:

(1) transcribing an RNA from the nucleic acid construct defined by claim 1 or the vector defined by claim 8 which has, as a nontranslatable nucleotide sequence, a nucleotide sequence selected from the group consisting of a nucleotide sequence that encodes a protein in an arbitrary

gene, a part of the nucleotide sequence, and an untranslated region that is located on the 5' or 3' side of the nucleotide sequence that encodes the protein;

(2) contacting a nucleotide molecule with the RNA transcribed in step (1);

(3) detecting the RNA in step (2) or a translation product translated from the RNA; and

(4) identifying a gene whose expression is altered by the nucleotide molecule based on the amount of the RNA or the translation product translated from the RNA detected in step (3).

12. (Original) A method of screening for a gene whose expression is altered by a nucleotide molecule, the method comprising the steps of:

(1) contacting a nucleotide molecule with the RNA defined by claim 6 which has, as a nontranslatable nucleotide sequence, a nucleotide sequence selected from the group consisting of a nucleotide sequence that encodes a protein in an arbitrary gene, a part of the nucleotide sequence, and an untranslated region that is located on the 5' or 3' side of the nucleotide sequence that encodes the protein;

(2) detecting the RNA in step (1) or a translation product translated from the RNA; and

(3) identifying a functional nucleotide molecule that alters expression of a target gene based on the amount of the RNA or the translation product translated from the RNA detected in step (2).

13. (Original) The method of screening for a gene whose expression is altered by a nucleotide molecule according to claim 11-~~or~~-12, wherein the nucleotide molecule is contacted with the RNA in a cell or in a cell-free protein synthesis system.

14. (New) A method of screening for a functional nucleotide molecule that alters expression of a target gene, the method comprising detecting an activity of altering expression of a target gene by a functional nucleotide molecule according to the method defined by claim 8.

15. (New) The method of detecting an activity of altering expression of a target gene by a functional nucleotide molecule according to claim 8, wherein the nucleotide molecule is contacted with the RNA in a cell or in a cell-free protein synthesis system.

In re of: UENO 12

16. (New) The method of screening for a gene whose expression is altered by a nucleotide molecule according to claim 12, wherein the nucleotide molecule is contacted with the RNA in a cell or in a cell-free protein synthesis system.